

REMARKS

Claims 1-32 are currently pending. Claims 27-32 are newly added.

1. Claims 1-26 were rejected under 35 U.S.C. 102(b) as being anticipated by Mayaud et al. (US 5,845,255, hereinafter “Mayaud”). Applicants respectfully traverse this rejection.

Claim 1 is directed to an electronic device including a touch responsive display and a graphical user interface engine operable to initiate presentation of a graphical user interface on the display. The graphical user interface includes a first portion presenting a menu-based interface and a second portion having an area for receiving a prescription input comprising a handwritten character.

Claim 10 is directed to a prescription system including a processor, a database accessible by the processor, and a storage medium. The storage medium includes instructions operable to direct the processor to access the database and to acquire a list of medications. The storage medium also includes instructions operable to direct the processor to generate a menu-based interface based on the list of medications for preparing a prescription. Further, the storage medium includes instructions operable to direct the processor to generate a handwriting recognition interface for preparing the prescription.

Claim 18 is directed to a method of preparing a prescription. The method includes accessing a database to acquire a list of medications, generating a menu-based interface based on the list of medications for preparing a prescription, and generating a handwriting recognition interface for preparing the prescription.

Mayaud is directed to a prescription management system that captures into a prescription a patient condition-objective of the prescribed treatment and provides for patient record assembly from source elements. (Mayaud, Abstract). In particular, the PTO references Mayaud column 7, lines 47-67, where Mayaud states that the screen shown employs a user friendly data selection and data entry device for capturing data including “activatable buttons, pointers, scroll bars, icons, arrow key, drop-down menus, windows and other screen symbols designed for actuation by a pointing device, for example, a mouse or track ball.” (Mayaud, column 7, lines 47-56). As

such, Mayaud is silent in this section regarding a prescription input including a handwritten character and is silent regarding handwriting recognition for the preparation of a prescription. In fact, Mayaud only discusses handwriting recognition in two contexts: security and patient selection. With respect to security, Mayaud states that bio-pattern recognition of personal characteristics includes handwriting, signatures, voice patterns and fingerprints and states that handwriting recognition is eschewed because writing is more tiresome to the user than pointing, pressing or clicking. Further, Mayaud notes that signature recognition may be desirable for remote electronic authorization of the filament at a pharmacy. However, better security may be provided by treating an electronic prescription transmission to a pharmacy as an advisory against which fulfillment may be initiated, while the prescription is released only in exchange for a manually signed hard paper copy. (Mayaud, column 9, lines 16-55). As such, Mayaud fails to teach in this section an area for receiving prescription input comprising a handwritten character and fails to teach a handwriting recognition interface for preparing a prescription. With respect to FIG. 2, Mayaud discloses a select patient screen 46 that includes a search box 34 at the top of the screen that uses string or full name searches to locate the patient or to review the patient list. The characters can be keyed or provided from pop-up screens or voice or handwriting recognition may be employed. (Mayaud, column 16, lines 50-61). As such, this section of Mayaud relates exclusively to an interface for searching for a patient and does not relate to entry of prescription inputs.

In contrast, claim 1 recites a graphical user interface including a first portion and a second portion, the second portion having “an area for receiving a prescription input comprising a handwritten character.” Claim 10 recites instructions operable to direct the processor to generate “a handwriting recognition interface for preparing the prescription” and claim 18 recites “generating a handwriting recognition interface for preparing a prescription.” Mayaud fails to teach an area of an interface for receiving a prescription input comprising a handwritten character and further fails to teach a handwriting interface in addition to a menu-based interface for entering a prescription. As such, Mayaud fails to anticipate the claimed invention.

Furthermore, Mayaud is silent regarding aspects of the dependent claims. For example, Mayaud fails to teach a control element configured to implement a tapered prescription. With reference to this feature, the PTO cites Mayaud, column 24, lines 41-60, which begins by stating

that the compilation of "an extensive or national database of (patient-anonymous) records providing a statistical historical listing of drugs prescribed versus associated conditions for which they were prescribed would be in the public interest and of considerable value, so long as patient confidentiality were maintained." (Mayaud, column 24, lines 41-46). Mayaud fails to teach both in the cited section and in the remainder of the document a tapered prescription and further fails to teach a control element configured to implement the tapered prescription. As such, Mayaud fails to anticipate each and every feature of the claims.

For at least the foregoing reasons, claims 1-26 are not anticipated by Mayaud. As such, Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. 102(b) rejection.

2. Claims 27-32 are newly added and claim further subject matter supported by the application as originally filed and not taught or suggested by the cited references.


Applicants respectfully submit that the present application is now in condition for allowance. Accordingly, the Examiner is requested to issue a Notice of Allowance for all pending claims.

Should the Examiner deem that any further action by the Applicants would be desirable for placing this application in even better condition for issue, the Examiner is requested to telephone Applicants' undersigned representative at the number listed below.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-3797.

Respectfully submitted,

12.5.07
Date



John R. Schell, Reg. No. 50,776
Agent for Applicant(s)
LARSON NEWMAN ABEL
POLANSKY & WHITE, LLP
5914 West Courtyard Drive, Suite 200
Austin, TX 78730
(512) 439-7100 (phone)
(512) 439-7199 (fax)